

“(D) Pens, sheds and ancillary buildings constructed by and for the Texas Agriculture Department for the processing of livestock prior to export;

“(E) All projects constructed by the Parks and Wildlife Department; and

“(F) Repair and rehabilitation projects of any other using agency, provided all labor for such projects is provided by the regular maintenance forces of the using agency under specific legislative authorization and provided further, that such projects do not require the advance preparation of working plans and/or drawings.

“(b) Nothing in this section shall be construed as prohibiting the Commission from undertaking a project excluded by this section under an interagency agreement originated by the appropriate using agency, and provided further, that nothing in this section shall be construed as exempting any agency or institution from the requirements of Section 15 of this Act (Compilation of Construction and Maintenance Data).

“(c) In addition to the exclusions enumerated in this section, the Commission may, by regulation, exclude repair and rehabilitation projects involving the use of contract labor, provided such projects do not require the advance preparation of working plans and drawings.”

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the senate on March 29, 1973: Yeas 31, Nays 0; passed the house on May 19, 1973: Yeas 130, Nays 0, three present not voting.

Approved June 15, 1973.

Effective June 15, 1973.

WATER CODE—RIGHTS COMMISSION—FAILURE TO FILE REPORTS—PENALTY

CHAPTER 554

S. B. No. 433

An Act relating to the penalty for failing to file certain reports with the Texas Water Rights Commission; amending Section 50.106, Water Code; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 50.106, Water Code, is amended³⁸ to read as follows:

“Sec. 50.106. Penalty

“A district that fails to comply with the provisions of Sections 50.101—50.104 of this code is subject to a civil penalty of not less than \$50 nor more than \$100 a day for each day the district willfully continues to vio-

³⁸ V.T.C.A. Water Code, § 50.106.

late these sections after receipt of written notice of violation from the commission by certified mail, return receipt requested. The state may sue to recover the penalty."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the senate on April 5, 1973: Yeas 31, Nays 0; May 16, 1973, senate concurred in house amendments: Yeas 31, Nays 0; passed the house, with amendments, on May 16, 1973: Yeas 135, Nays 1.
Approved June 15, 1973.
Effective June 15, 1973.

WATER CODE—RIGHTS COMMISSION—SUPERVISORY AUTHORITY

CHAPTER 555

S. B. No. 434

An Act relating to the supervisory authority of the Texas Water Rights Commission over certain water districts; amending Section 6.074, Water Code; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 6.074, Water Code, is amended ³⁹ to read as follows:

"Sec. 6.074. Continuing Right of Supervision of Districts Created Under Article III, Section 52, and Article XVI, Section 59, of the Texas Constitution

"(a) The powers and duties of all districts and authorities created under Article III, Section 52, and Article XVI, Section 59, of the Texas Constitution, are subject to the continuing right of supervision of the State of Texas, by and through the Texas Water Rights Commission or its successor and this supervision may include but is not limited to the authority to:

"(1) inquire into the competence, fitness, and reputation of the officers and directors of any district;

"(2) require, on its own motion or on complaint by any person, audits or other financial information, inspections, evaluations, and engineering reports;

"(3) issue subpoenas for witnesses to carry out its authority under this subsection;

"(4) institute investigations and hearings using examiners appointed by the commission; and

"(5) issue rules necessary to supervise the districts.

"(b) The provisions of this section shall not apply to any river authority encompassing 10 or more counties which was not subject to the

39. V.T.C.A. Water Code, § 6.074.